

**STATEMENT OF  
CHAIRMAN JULIUS GENACHOWSKI**

Re: *Review of the Commission's Rules of Practice and Procedure, Rules of Organization and Ex Parte Rules*

These two Notices propose reforms that should make the Commission's procedural rules more effective and fairer. By increasing the use of electronic filing, refining our rules on *ex parte* presentations, and making other commonsense changes, we intend make it easier for interested parties to participate in our proceedings and easier for the public to understand the processes we use and the reasons for our decisions.

The growing importance of communications to our daily lives and our economy has expanded the range of issues before the Commission and the number of parties that file pleadings with us. Our processes and systems must be up to the job. Yet the Commission lags behind many other agencies, as well as federal and state courts, that have already implemented e-filing for all their proceedings. This Commission should lead, not follow, in using electronic filing, because it will reduce costs, speed the resolution of pending issues, and make our proceedings easier for the public to follow. I look forward to implementing the rule changes that will bring this about.

Nothing is more critical to assuring the integrity of our proceedings than the way we document *ex parte* communications. Over thirty years ago, the D.C. Circuit's *Home Box Office* decision struck down Commission cable rules in part because hundreds of undocumented *ex parte* contacts had occurred. While noting that it was not illegal for the Commission to entertain *ex parte* contacts, the Court instructed that the records of Commission proceedings must reveal all the information made available *ex parte* so that it can be understood and debated. *Home Box Office v. FCC*, 567 F.2d 9, 118 (1977).

Given the complexity and importance of the issues that come before us, *ex parte* communications remain an essential part of our deliberative process. It is essential that industry and public stakeholders know the facts and arguments presented to us in order to express informed views. The modified *ex parte* rules we propose today will help achieve that. When all written *ex parte* materials and summaries of all oral *ex parte* communications are substantive, complete, filed quickly in the record, and immediately available online, special interests are revealed and no party has unfair access to inside information. This is the essence of transparency, and I look forward to implementing the rule changes that will help bring it about.

Finally, I would like to express my appreciation of the fine work done by the FCC Reform Team and the Office of General Counsel in bringing these proposals to us for a vote today. As these two Notices reinforce, strong procedural rules are indispensable to achieving openness, transparency, and timeliness in our substantive decisions.